

Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, April 3, 2006 at 7:00 PM

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, Philip Hammond, John Lebeaux and Michael Hale, Assistant Town Manager. Mr. Lebeaux called the meeting to order at 7:03pm.

Preliminaries:

1. Approve bills, payrolls and warrants, #0677 in the amount of \$1,638,943.97, and #0680 in the amount of \$2,021,927.60. Motion made, seconded and unanimously approved.
2. Approve Minutes of March 20, 2006. Motion made, seconded and unanimously approved.
3. Announcements – No announcements.
4. Town Manager's Report – Mr. Morgado advised that street sweeping had begun and one third of the Town had been completed.

Meetings:

5. 7:15pm – Fire Station Building Committee. Bruce Card, Chair, committee members Bob Cox and Ralph LeBlanc and architect, Kaffee Kang, were present. Ms. Kang reviewed the changes to the original plans. The center station would be a back in station instead of a drive through which would eliminate the relocation of the cemetery garage. The plans for the Harrington Avenue Station remain the same and a new two bay station will be built on a CenTech Park site. Mr. Morgado reviewed the \$7.4 million cost for the projects. He advised that the cost for this plan is higher than originally proposed but includes a new station in CenTech Park which would give better coverage to that part of Town. He added that this plan would be a complete solution to the Town's needs for many years. The Committee will make their presentation to the Finance Committee on April 11th.
6. 7:30pm – Water Rates. Water Supt. Robert Tozeski and Asst. Town Manager, Michael Hale were present. Mr. Lebeaux recused himself from the discussion to avoid the appearance of conflict of interest and Mr. Fiore assumed the chair. Mr. Tozeski reviewed the current water rates and conservation issues. He advised the Board that there are several projects coming up that will require an increase in water rates to cover the costs. The projects include construction on Route 9 and Old Mill Road to upgrade the system and construction of a new tank in Masonic Park which will replace the two old tanks currently being used on this site. Mr. hale advised that Shrewsbury has not raised water rates since 1991 when the treatment plant went on line. Mr. Morgado reviewed the material he had sent to the Board regarding water rates. A discussion followed regarding the impact of state mandates, comparison of water rates with surrounding towns and educating the public on conservation in order to comply with state mandates. The Board tabled the discussion until the April 10th meeting when Mr. Morgado will have additional information available. Mr. Tozeski advised that rain barrels and sensors for irrigation systems are available to residents. Those interested should contact the Water Dept. Mr. Tozeski also outlined a plan for a water wise demonstration garden at Town Hall. The public would be able to see exactly how this type of water conservation works. Instead of grass, home owners could us various plants that use less water and require less maintenance. The cost of the garden would be funded by water conservation fees. The Board gave Mr. Tozeski their support for this project.

Public Hearings:

7. 7:05PM – Bauhinia, Inc. d/b/a Bauhinia Restaurant, 271 Grafton Street, Kin Shing Wong, Manager, All Alcoholic Beverages Pouring License and Common Victualler's License. Hours of Operation: Sunday-Thursday 11:00am-11:00pm, Friday-Saturday 11:00am-12:00 midnight. **Continued** Kin Shing Wong and his attorney Mary Casey were present along with Atty. Kevin Byrne representing the property

owner. Mr. Lebeaux reviewed the hearing prior to the Board's decision to continue due to a question on available parking at this location. Mr. Byrne reviewed the background in regard to the parking spaces for the restaurant and the bank as he had represented the property owner in both cases. He advised the Board that it had been determined by the ZBA that due to the nature of the business of the two establishments that the current number of spaces would be sufficient, as the bank would be using more spaces during the day and the restaurant would occupy more in the evening. There are a total of ninety four spaces available. Mr. Lebeaux asked if there were any further questions from the Board and as there were none he opened the hearing to the public. As no public comment was received, motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the application of Bauhinia, Inc. d/b/a Bauhinia Restaurant, 271 Grafton Street, for an All Alcoholic Beverages Pouring License and Common Victualler's License, Kin Shing Wong, manager, for the days and hours as stated. Motion was seconded and unanimously voted.

Old Business:

8. Sign Amendment to Traffic Rules & Orders – Stop Sign at O'Donnell Avenue at Audubon Drive. Motion was made, seconded and unanimously voted to sign the Amendment.
9. Review Warrant. Mr. Morgado advised that the Finance Committee started review of the warrant last Thursday and will conclude their review this Thursday. They are scheduled to come before the Board next Monday evening. Mr. Morgado will get a draft report to the Board over this weekend.

New Business:

10. Struck Catering, 130 Hamilton Street, Worcester, MA, One Day All Alcohol License for event at Hoagland-Pincus Conference Center, 222 Maple Avenue, on Friday, April 7, 2006 from 5:30pm to 10:00pm. Motion was made to approve the application as stated by Struck Catering for a One Day All Alcohol License. Motion was made, seconded and approved with four in favor and one abstention.
11. Memo from Chief Sampson re Orchard Road Traffic. Chief Sampson advised that there is a severe problem with parents who refuse to use the drop off areas at the Middle Schools. The schools and Police Department have tried repeatedly to alert parents to the danger of not using the authorized areas but they still persist in doing so. Therefore, the Chief is requesting the Board approve the installation of "No Passenger Loading/Unloading Zone" signage on both sides of Orchard Road from Hutchins Street 300 feet easterly. The Board questioned the enforceability of this type of signage and why the present signage in the area is not being enforced. Mr. Morgado will check with Chief Sampson and report back to the Board.
12. Memo from Mr. Lebeaux re Structure of Study Committee. Mr. Lebeaux advised that in light of the large amount of correspondence and conversation regarding a Proposition 2 ½ Override and the fire facilities he proposed a committee be formed to address the structural deficit. He outlined a proposal for the committee. The committee will be comprised of thirty member, two Town meeting members from each precinct appointed by the Town Moderator; two appointed by members of the Board of Selectmen. Finance Committee, and School Committee and six at large appointed by the Selectmen. The committee would be divided into two groups, one looking at revenue issues and the other at expenses. Each would put together a work plan to address each of these areas. A final report would be made by the start of the budget process in October. A discussion followed with some Board members suggesting that a thirty member group would be too large to reach a consensus. Other suggestions were made regarding members being open minded and only focused on their own agenda, waiting to appoint members until after the May election and an October deadline as being unrealistic. Mr. Hammond suggested the three boards, Selectmen, Finance and School should determine where they want to go first and the committee can work from there. It was also suggested that an interim report be made in October with the final report coming later. Mr. Lebeaux asked Board members to get their thoughts on how this Study committee should be organized and approached and get them to the office in time for mailing in the weekly packets. The Board will discuss further at the April 10th meeting.
13. Sign Special Town Meeting Warrant. Mr. Morgado reviewed the warrant. Motion was made, seconded and unanimously voted to sign the warrant. The Special Town Meeting will take place on Tuesday,

April 25, 2006 at 7:00pm to the High School. The Finance Committee hearing is set for Tuesday, April 11th at 7:00pm in the Selectmen's Meeting Room at Town Hall.

14. Appoint ZBA members. Mr. Card moved to reappoint Paul George as a member of the ZBA for a term of two years expiring March 31, 2008. Motion was seconded and unanimously approved. Mr. Fiore moved to appoint Dale Schaetzke as a member of the ZBA for a term of two years expiring on March 31, 2008. Motion was seconded and unanimously approved. Mr. DePalo moved to reappoint Peter D. Collins and Donna Towner as associate members of the ZBA for terms of one year expiring on March 31, 2007. Motion was seconded and unanimously approved. Mr. DePalo moved to appoint George Smith as an associate member of the ZBA for a term of one year expiring on March 31, 2007. Motion was seconded and unanimously approved.

Executive Session:

15. Collective bargaining, pending litigation and value of real property. Motion was made, seconded, and unanimously voted to adjourn into executive session at 9:35pm and not to reconvene for the purpose of discussion of pending litigation. The Board was polled, Mr. Fiore, yes, Mr. DePalo, yes, Mr. Card, yes, Mr. Hammond, yes, and Mr. Lebeaux, yes.

Communications

16. Noted copy mailed: E-mail from Laura Spangenberg, 2 Nightingale Drive, re Proposition 2 ½.
17. Noted copy mailed: E-mail from Adam Becker, 12 Stonybrook Lane, re Proposition 2 ½.
18. Noted copy mailed: E-mail from Sarah Smongeski, 96 Spring Street, Proposition 2 ½.
19. Noted copy mailed: E-mail from Michael Marcy, 52 Longfellow Road, re "Commercial" Litter & response from Chief Sampson. Mr. Marcy is concerned about plastic packages containing advertisements about landscaping services being thrown on his property. Chief Sampson advised that this is a form of free speech and the courts will not allow action to be taken to prevent it.
20. Noted copy mailed: Notice of Municipal Licensing Corp. Meeting.
21. Noted copy mailed: E-mail from Judy Vedder, 15 Pheasant Hill Drive re Town-wide planning process.
22. Noted copy mailed: E-mail from Michael Stiling, 14-D Farmington Drive, re Proposition 2 ½.
23. Noted copy mailed: E-mail from Antoinette & Steven Alward, 35 Flagg Road, re Proposition 2 ½.
24. Noted copy mailed: E-mail from Debbie Lapriore, 52 Francis Avenue, re Proposition 2 ½. Ms. Lapriore feels that it is unfair of the Board to make the decision regarding an override. Mr. Lebeaux advised that the Proposition 2 ½ law states that this decision is made by the Board of Selectmen, not by petition or other means.
25. Noted copy mailed: E-mail from Nick Coda, 4 Deergrass Road, re Proposition 2 ½.
26. Noted copy mailed: E-mail from Ken Milley, 105 Francis Avenue, re Facilities. Mr. Milley objects to headquarters proposal.
27. Noted copy mailed: E-mail from John V. Martello, 54 Longfellow Road, expressing interest in appointment to the ZBA.
28. Noted copy mailed: E-mail from Donald Naber, 23 Morningside Drive, re Proposition 2 ½.
29. Noted copy mailed: Mass. Dept. of Revenue Bulletin 2006-06B re New Officials Finance Forum. Copies to be sent to all those running for selectmen as they may wish to attend if elected.
30. Noted copy mailed: Dept. of Revenue - *City & Town*, vol. 19, no. 3, March 2006.
31. Noted copy mailed: ZBA Hearing Minutes, 2/28/06, Thomas St. Pierre, 272 Oak Street.
32. Noted copy mailed: ZBA Hearing Minutes, 2/28/06, North Atlantic Trailer Sales, LLC d/b/a Down Easter of Central Mass., 787 Hartford Turnpike
33. Noted copy mailed: E-mail from Ron Pelletier, 1 Grafton Street, re Proposition 2 ½.
34. Noted copy mailed: Memo from Mr. Morgado re Shrewsbury Youth & Family Services (SYFS). SYFS is due to appear before the Finance Committee on Thursday.
35. Noted copy mailed: E-mail from Thomas Rooney, 5 Birch Lane, re Senior Center. Reminding Board of things funded at senior center.
36. Noted copy mailed: Fax from Shrewsbury Garden Club re fundraiser on April 22, 2006. Motion was made, seconded and unanimously voted to approve. Mr. Morgado will ask Atty. Leader about first amendment rights.

37. Noted copy mailed: E-mail from Joy Buck, 11 Greylock Avenue, re March 20th Meeting. Menu approach to facilities question is preferred.
38. Noted copy mailed: Phase IV Remedy Implementation Plan Notification-Worcester Sand & Gravel.
39. Noted copy mailed: MBTA Advisory Board Meeting Notice and related materials.
40. Noted copy mailed: E-mail from Kathleen Walsh, 18 Ptarmigan Drive, re Proposition 2 ½.
41. Noted copy mailed: SELCO Commission Meeting Minutes, 2/27/06.
42. Noted copy mailed: MMA Action Alert #3, 3/29/06, House Speaker DiMasi Backs Ending Lottery Diversion.
43. Noted copy mailed: E-mail from Chris Juetten, 41 Stonybrook Lane, re Facilities.
44. Noted copy mailed: E-mail from George Smith, 33 Clews Street, expressing interest in appointment to ZBA.
45. Noted copy mailed: Letter to MassHighway from Mr. Morgado re Route 9/South Street Intersection.
46. Noted copy mailed: School Committee Meeting Agenda, 4/5/06.
47. Noted copy mailed: Notice from Governor's Office of FY 2007 Chapter 90 allotment.
48. Noted copy mailed: Planning Board Meeting Agenda, 4/6/06.
49. Noted copy mailed: Memo from Jack Perreault re Highland Hills Estates Offsite Improvements.

Motion was made, seconded, and unanimously voted to adjourn into executive session at 9:35pm and not to reconvene for the purpose of discussing pending litigation. On a roll call vote Mr. Fiore, yes, Mr. DePalo, yes, Mr. Card, yes, Mr. Hammond, yes, and Mr. Lebeaux, yes.

Respectfully submitted,

Janice C. McCoy
Secretary